

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2006-343-C - ORDER NO. 2007-163  
MARCH 9, 2007

IN RE: Davidson Cable TV of SC, Inc.,	)	ORDER DISMISSING
	)	COMPLAINT
Complainant/Petitioner,	)	
	)	
v.	)	
	)	
Hargray Telephone Company, Inc.,	)	
	)	
Defendant/Respondent.	)	
_____	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on Hargray Telephone Company, Inc.'s (Hargray) request to dismiss the complaint filed against Hargray by Davidson Cable TV of SC, Inc. (Davidson). The present proceeding was established upon the filing of a complaint with the Commission by Davidson on November 6, 2006, with regard to number portability.

The Commission's Docketing Department issued and served a Notice on November 13, 2006, informing Hargray of the complaint of Davidson and the time in which Hargray was to file its answer to the complaint pursuant to R. 103-837 and R. 103-841 of the Commission's Rules of Practice and Procedure. Hargray filed its answer to Davidson with the Commission on December 13, 2006, and certified that all parties were served with Hargray's answer by U.S. postal service.

By letter from Jocelyn G. Boyd, Hearing Officer in this case,<sup>1</sup> dated February 13, 2007, Davidson was advised that if it intended to respond to Hargray's answer, it was to file its response in writing no later than Tuesday, February 20, 2007. Additionally, Ms. Boyd informed Davidson that the Commission would proceed with disposition of this matter after February 20, 2007. No response was received from Davidson by February 20; therefore, this matter was brought before the Commission for disposition at its regularly scheduled agenda meeting on February 28, 2007.

Hargray asserts in its answer of December 13, 2006, that Davidson provides no specific facts to support the allegations set forth in its complaint. Hargray requests that Davidson's complaint be dismissed on the grounds that Davidson has failed to state facts sufficient to constitute a cause of action upon which relief may be granted. We have examined the complaint, and agree with Hargray. After due consideration, the Commission finds that the Davidson complaint indeed has failed to state facts sufficient to constitute a cause of action upon which relief may be granted. Because of this fact, Hargray's request is granted, and the Davidson complaint is hereby dismissed.

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<sup>1</sup> See Commission Order No. 2007-23, dated January 18, 2007, Order Appointing Hearing Officer.

IT IS THEREFORE ORDERED THAT:

1. The Complaint of Davidson Cable TV of SC, Inc. against Hargray Telephone Company, Inc. is dismissed.
2. This Order shall remain in full force and effect until further Order of the Commission.

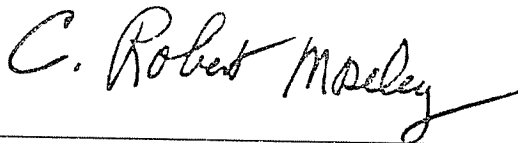
BY ORDER OF THE COMMISSION:



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G. O'Neal Hamilton, Chairman

ATTEST:



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C. Robert Moseley, Vice Chairman

(SEAL)